

Rejection of the Claims

Claims 1-7, 10-12, and 14-23 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yagasaki in view of the “Preparing for the Sweet Hereafter with PLAN4ever.com” publication. Claims 8 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yagasaki in view of the “Preparing for the Sweet Hereafter with PLAN4ever.com” publication, and further in view of Tavor et al. (US 6,070,149). Claim 13 is rejected under 35 USC 103(a) as being unpatentable over Yagasaki (US 6,125,353) in view of “Preparing for the Sweet Hereafter With PLAN4ever.com” publication, and further in view Slotznick (US 5,983,200). The above-mentioned obviousness rejections are respectfully traversed.

Yagasaki is directed to a virtual mall providing a searching capability to locate and order a service or product offered by a number of vendors. As pointed out by the Examiner, the reference to Yagasaki does not specify that the products ordered are for funeral arrangements. To correct this deficiency, the Examiner points to the “Preparing for the Sweet Hereafter with PLAN4ever.com” publication (the “PLAN4ever.com publication”), which discloses that funeral products may be sold online.

Enclosed with this response is a declaration under 37 CFR 1.131 (along with Attachment A, and Exhibits A-C), which substantiates that the invention was reduced to practice prior to the publication date of the PLAN4ever.com publication. As such, the PLAN4ever.com publication is not prior art and cannot form the basis for a rejection under §103. Accordingly, before the recited invention, one skilled in the art would not have been provided with the teaching, suggestion, or motivation to modify the system of Yagasaki in order to electronically order products for funeral arrangements as asserted by


Serial No.: 09/409,566
Docket No.: AUR0014PA

the Examiner. Therefore, Applicants respectfully request withdrawal of all the obviousness rejections to the claims.

CONCLUSION

Applicants respectfully submit that the present application is in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,
KILLWORTH, GOTTMAN, HAGAN &
SCHAEFF, L.L.P.

By 

William A. Jividen
Registration No. 42,695

One Dayton Centre
One South Main Street, Suite 500
Dayton, Ohio 45402-2023
Telephone: (937) 223-2050
Facsimile: (937) 223-0724
e-mail: jividenw@kghs.com
WAJ/